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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 CLIFFORD BRODSKY, )  
11 )  
12 Petitioner, ) No. C 08-1574 CRB (PR)  
13 vs. ) ORDER TO SHOW CAUSE  
14 BEN CURRY, Warden, )  
15 Respondent. )  
\_\_\_\_\_ )

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17 Petitioner, a state prisoner incarcerated at the Correctional Training  
18 Facility in Soledad, California, has filed a pro se petition for a writ of habeas  
19 corpus under 28 U.S.C. § 2254 challenging the California Board of Parole  
20 Hearings' ("BPH") November 6, 2006 decision to deny him parole.

21 **BACKGROUND**

22 In 1991, petitioner entered a plea of no contest to a charge of conspiracy to  
23 commit murder in Los Angeles County Superior Court and received a sentence of  
24 15 years to life in state prison. Pursuant to the plea agreement, the prosecutor  
25 agreed not to oppose petitioner's release when he became eligible for parole,  
26 provided that petitioner remain free of disciplinary problems while incarcerated  
27 and cause no violence to befall any of the state's witnesses who might have  
28 testified against him.



**CONCLUSION**

For the foregoing reasons and for good cause shown,


1. The clerk shall serve by certified mail a copy of this order and the petition and all attachments thereto on respondent and respondent's attorney, the Attorney General of the State of California. The clerk also shall serve a copy of this order on petitioner.

2. Respondent shall file with the court and serve on petitioner, within 60 days of the issuance of this order, an answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the answer and serve on petitioner a copy of all portions of the state trial record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

3. If petitioner wishes to respond to the answer, he shall do so by filing a traverse with the court and serving it on respondent within 30 days of his receipt of the answer.

SO ORDERED.

DATED: July 21, 2008

  
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for  
CHARLES R. BREYER  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

CLIFFORD BRODSKY,  
Plaintiff,

Case Number: CV08-01574 CRB

**CERTIFICATE OF SERVICE**

v.

BEB CURRY, Warden,  
Defendant.

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 21, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Clifford Brodsky H-07665  
CTF Soledad  
P.O. Box 689  
Soledad, CA 93960-0689

Dated: July 21, 2008

Richard W. Wieking, Clerk  
By: Frank Justiliano, Deputy Clerk